

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

JOEY KIMBROUGH,

Plaintiff,

v.

Case No. 1:22-cv-01993-TWP-MJD

**NOTICE OF STATUS OF
ARBITRATION PROCEEDINGS**

AMERICAN EXPRESS COMPANY AKA
AMERICAN EXPRESS NATIONAL BANK

and

TRANS UNION LLC

Defendants. /

Pursuant to the Court's Order on Motion to Compel Arbitration [ECF No. 49] and the Court's Order Staying Proceedings Pending Arbitration and Dismissing Pending Motion Without Prejudice [ECF No. 50] (together, the "Orders"), Defendant American Express National Bank ("American Express") states the following:

1. Pursuant to the Court's Orders [ECF Nos. 49 & 50], American Express must file a "Notice setting forth the status of the arbitration proceedings on or before Friday, January 5, 2024, and every thirty (30) days thereafter."

2. On January 5, 2024, American Express filed its Notice of Status of Arbitration Proceedings. [ECF No. 78.]

3. On January 8, 2024, this Court denied various motions filed by Plaintiff, including motions for reconsideration and motions to strike. [ECF Nos. 79 & 80.]

4. On January 17, 2024, the United States Court of Appeals for the Seventh Circuit issued its mandate on the dismissal of Plaintiff's appeal, No. 23-2911, and its mandate on the dismissal of Plaintiff's appeal, No. 23-2912. [ECF Nos. 82 & 83.]

5. To date, American Express has not received notice that Plaintiff has commenced arbitration proceedings.

6. American Express will file another Notice setting forth the status of the arbitration proceedings in thirty (30) days pursuant to the Court's Orders [ECF Nos. 49 & 50].

Dated: February 5, 2024.

Respectfully submitted,

By: /s/ Adam R. Hooch

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Attorneys for Defendant *American Express
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 5, 2024, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system and certify that a true and correct copy of the foregoing was provided to all parties and counsel of record, including: joeyskokomo2002@yahoo.com .

/s/ Adam R. Hooch
Attorney